

13 Rec'd PCT/PTC 28 APR 1993

039498

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING/COMPLETING NATIONAL PHASE OF
PCT APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495To: The Commissioner of Patents
and Trademarks
Washington, D.C. 20231

(Our Deposit Account No. 03-3975

(Our Order No. _____
C# / M#TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)Atty. Dkt. _____
M# / Client Ref.

From: Cushman, Darby & Cushman

Date: _____

A/P

This is a **REQUEST** for ☒ **FILING** ☐ **COMPLETING** PCT/USA National Phase Application based on:

- | 1. International Application | 2. International Filing Date | 3. Earliest Priority Date Claimed |
|--------------------------------------|-----------------------------------|--|
| PCT/ EP 91 / 02057
↑ country code | 30 October 1991
Day MONTH Year | 5 November 1990
Day MONTH Year
(use item 2 if no earlier priority) |
4. Measured from the earliest priority date in item 3, this PCT/USA National Phase Application Request/Completion is being filed within:
- (a) ☐ 20 months from above item 3 date (b) ☐ 22 months from above item 3 date,
(c) ☒ 30 months from above item 3 date (d) ☐ 32 months from above item 3 date
(e) Therefore, the current due date is May 5, 1993.
5. Title of Invention PROCESS FOR PRODUCING ALUMINIUM OXIDE BEADS
6. Inventor(s) KADNER, Martin et al.

Applicant herewith submits the following under 35 U.S.C. 371 to effect filing:

7. ☒ Please immediately start national examination procedures (35 U.S.C. 371(f)).
8. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is transmitted herewith (file if in English but, if in foreign language, file only if not transmitted to PTO by the International Bureau) including:
- a. ☐ Request;
b. ☐ Abstract;
c. _____ pgs. Spec. and Claims;
d. _____ sheet(s) Drawing which are ☐ informal ☐ formal of size ☐ A4 ☐ 13" ☐ 14"
9. a. ☐ A copy of the International Application was filed in the National Phase on _____.
(b) ☒ A copy of the International Application has been transmitted by the International Bureau.
10. A translation of the International Application into English (35 U.S.C. 371(c)(2))
- a. ☐ was filed in the National Phase on _____.
- b. ☒ is transmitted herewith including: (1) ☐ Request; (2) ☒ Abstract;
(3) 17 pgs. Spec. and Claims;
(4) _____ sheet(s) Drawing which are:
☐ informal ☐ formal of size ☐ A4 ☐ 13" ☐ 14"
- c. ☐ is not required, as the application was filed in English.
- d. ☐ is not herewith, but will be filed within 22 or 32 months from the date in item 3.
- e. ☒ Translation verification attached (not required now).

11. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)), i.e., before 18th month from first priority date above in item 3, are transmitted herewith (file if in English but, if in foreign language, file only if not transmitted by the International Bureau) including:
12. ☒ PCT Article 19 claim amendments (if any) have been transmitted by the International Bureau.
13. ☐ Translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)), i.e., of claim amendments made before 18th month, is attached (required by 20th month from the date in item 3 if box 4(a) above is X'd, or 30th month if box 4(c) is X'd or else amendments will be considered cancelled).
14. **A declaration of the inventor (35 U.S.C. 371(c)(4))**
 a. ☒ is submitted herewith (**absolute deadline = 22 or 32 months**).
 b. ☐ is not herewith, but will be filed within 22 months if box 4(a) above is X'd, or 32 months if box 4(c) is X'd, from the date in item 3.
15. **An International Search Report (ISR):**
 a. Was prepared by ☒ European Patent Office ☐ Japanese Patent Office ☐ Other
 b. ☒ has been transmitted by the International Bureau to PTO.
 c. ☒ copy herewith (2 pg(s).) ☐ plus Annex of family members (pg(s).).
16. **International Preliminary Examination Report (IPER):**
 a. ☒ has been transmitted (if this letter is filed after 28 months from date in item 3) in English by the International Bureau with Annexes (if any) in original language.
 b. ☒ copy herewith in English
 c. ☐ IPER Annex(es) in original language ("Annexes" are amendments made to claims/spec/drawings during Examination) including attached amended:
 ☒ Specification pages # 2 ☒ Claims # 1-8 ☐ Drawing Figures #
 d. ☐ Translation of Annex(es) to IPER (**required by 30th month due date, or else annexed amendments will be considered cancelled**).
17. **Information Disclosure Statement** including:
 a. ☐ Attached Form PTO-1449 listing the enclosed documents
 b. ☐ Attached copies of references listed on Form PTO-1449
 c. ☒ A concise explanation of relevance of ISR references is given in the ISR.
18. ☒ **Assignment** document and Cover Sheet for recording are attached. Please mail the recorded assignment document back to the person whose signature, name and address appear at the end of this letter.
19. ☐ Copy of Power to IA agent.
20. ☐ **Drawings:** sheet(s) per set: ☐ 1 set informal; ☐ Formal of size ☐ A4 ☐ 13" ☐ 14"
21. ☐ (No.) **Verified Statement(s)** establishing "small entity" status under Rules 9 & 27
22. **Priority** is hereby claimed under 35 U.S.C. 119/365 based on the priority claim and the certified copy, both filed in the International Application during the international stage based on the filing in (country) Germany of:

<u>Application No.</u>	<u>Filing Date</u>	<u>Application No.</u>	<u>Filing Date</u>
(1) <u>P 40 35 089.4</u>	<u>November 5, 1990</u>	(4) <u> </u>	<u> </u>
(2) <u>P 40 42 594.0</u>	<u>November 5, 1990</u>	(5) <u> </u>	<u> </u>
(3) <u> </u>	<u> </u>	(6) <u> </u>	<u> </u>

a. ☒ See Form PCT/IB/304 sent to US/DO with copy of priority documents
 b. ☐ Copy of Form PCT/IB/304 attached.

23. Attached:

24. Preliminary Amendment:

25. Calculation of the U.S. National Fee (35 U.S.C. 371 (c)(1)) and other fees is as follows:based on amended claim(s) per above item(s) [☒] 11a, [] 13, [] 16, [] 24 (hilit)

TOTAL EFFECTIVE CLAIMS	<u>14</u>	- 20 =	<u> </u>	x								
INDEPENDENT CLAIMS	<u>1</u>	- 3 =	<u> </u>	x								

Large/Small Entity

\$ 22/\$11

\$ 74/\$37

If any proper (ignore improper) MULTIPLE DEPENDENT CLAIM is present, - - - - - add \$230/\$115 + 230.00**BASIC NATIONAL FEE (37 CFR 1.492(A)(1)-(4)):**A. If country code letters in item 1 are not "US", "BR" or "BB" and (see item 15a)1. Search Report was not prepared by EPO or JPO - - - - - add \$950/475 + 2. Search Report was prepared by EPO or JPO - - - - - add \$830/415 + 830.00**SKIP B, C, D AND E UNLESS country code letters in item 1 are "US", "BR" or "BB"**-> [] B. If neither international search fee nor international preliminary examination fee was paid to USPTO, - - - - - add \$950/\$475 + (☒)(only) -> [] C. If international search fee was paid to USPTO but not international preliminary examination fee, - - - - - add \$710/\$355 + (one)

(of)

(these)-> [] D. If international preliminary examination fee was paid to USPTO - - - - - add \$640/\$320 + (4)

(boxes)

-> [] E. If international preliminary examination fee was paid to USPTO and Rules 492(a)(4) and 496(b) satisfied, - - - - - add \$ 90/\$45 + 26. Declaration furnished late: if box 4(b) or 4(d) is X'd, - - - - - add \$130/\$65 + 27. **SUBTOTAL = \$ 1,060.00**28. English translation furnished late: if boxes 10(b) and 4(b) or 4(d) are X'd, - - - - - add \$130.00 + 29. If Assignment box 18 above is X'd, add Assignment Recording fee of - - - - - \$40.00 + 40.0030. Attached is a check to cover the - - - - - **TOTAL FEES \$ 1,100.00**

CHARGE STATEMENT: After the Declaration is filed, the Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

CUSHMAN, DARBY & CUSHMAN

1100 New York AvenueNinth FloorWashington, D.C. 20005-3918Tel: (202) 861-3000Atty/Sec: LAH:meyBy Atty: Lawrence A. HymoReg. No. 19,057

Fax: (202) 822-0944


Tel.: (202) 861- 3015NOTE: File in duplicate with 2 postcard receipts (CDC-103) & attachments.

VERIFICATION OF A TRANSLATION

I, the below named translator, hereby declare that:

My name and post office address are as stated below:

That I am knowledgeable in the English language and in the language in which the below identified international application was filed, and that I believe the English translation of the international application No. PCT/EP91/02057 is a true and complete translation of the above identified international application as filed.

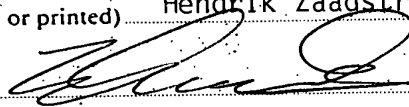
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

30.03.1993

Full name of the translator (typed or printed) Hendrik Zaadstra

Signature of the translator



Post Office Address Klimmenstrasse 2, 5789 Medebach, Germany